

PTO/SB/08a (05-07)

Approved for use through 11/30/2007. OMB 0651-0031

U.S. Patent and Trademark Office; U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it contains a valid OMB control number.

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

|                        |                 |
|------------------------|-----------------|
| Application Number     | 10596287        |
| Filing Date            | 2006-06-08      |
| First Named Inventor   | Burnell, et al. |
| Art Unit               |                 |
| Examiner Name          |                 |
| Attorney Docket Number | PB60589USw      |

**U.S.PATENTS**

| Examiner Initial* | Cite No | Patent Number | Kind Code <sup>1</sup> | Issue Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
|-------------------|---------|---------------|------------------------|------------|---|--|
|                   | 1       | 6567686       |                        | 2003-05-20 | Sexton et al                                    |  |
|                   | 2       | 5848973       |                        | 1998-12-15 | Lane  |  |
|                   | 3       | 5902237       |                        | 1999-05-11 | Glass   |  |
|                   | 4       | 6379311       |                        | 2002-04-30 | Gaumond et al                                   |  |
|                   | 5       | 6183423       |                        | 2001-02-06 | Gaumond et al                                   |  |
|                   | 6       | 6139504       |                        | 2000-10-31 | Lane  |  |
|                   | 7       | 5998428       |                        | 1999-12-07 | Barnette, et al                                 |  |

If you wish to add additional U.S. Patent citation information please click the Add button.

**U.S.PATENT APPLICATION PUBLICATIONS**

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

|                        |                 |
|------------------------|-----------------|
| Application Number     | 10596287        |
| Filing Date            | 2006-06-08      |
| First Named Inventor   | Burnell, et al. |
| Art Unit               |                 |
| Examiner Name          |                 |
| Attorney Docket Number | PB60589USw      |

| Examiner Initial* | Cite No | Publication Number | Kind Code <sup>1</sup> | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear |
|-------------------|---------|--------------------|------------------------|------------------|---|--|
|                   | 1       |                    |                        |                  |   |  |

If you wish to add additional U.S. Published Application citation information please click the Add button.

**FOREIGN PATENT DOCUMENTS**

| Examiner Initial* | Cite No | Foreign Document Number <sup>3</sup> | Country Code <sup>2</sup> j | Kind Code <sup>4</sup> | Publication Date | Name of Patentee or Applicant of cited Document | Pages, Columns, Lines where Relevant Passages or Relevant Figures Appear | T <sup>5</sup>           |
|-------------------|---------|--------------------------------------|-----------------------------|------------------------|------------------|---|--|--------------------------|
|                   | 1       | 0051599                              | WO                          | A1                     | 2000-09-08       | Smithkline Beecham Corporation                  |  | <input type="checkbox"/> |

If you wish to add additional Foreign Patent Document citation information please click the Add button

**NON-PATENT LITERATURE DOCUMENTS**

| Examiner Initials* | Cite No | Include name of the author (in CAPITAL LETTERS), title of the article (when appropriate), title of the item (book, magazine, journal, serial, symposium, catalog, etc), date, pages(s), volume-issue number(s), publisher, city and/or country where published. | T <sup>5</sup>           |
|--------------------|---------|---|--------------------------|
|                    | 1       | BROOKS ET AL; Reproducibility and accuracy of airway area by acoustic reflection; Journal of Applied Physiology; 1984, Vol. 53, No. 3, pp 777-787   | <input type="checkbox"/> |
|                    | 2       | D'URZO ET AL; Airway area by acoustic response measurements and computerized tomography; American Review of Respiratory Disease; 1987; Vol. 135, No. 2, pp. 392-395   | <input type="checkbox"/> |
|                    | 3       | EHTZAZI ET AL; 3D reconstruction of the upper airway during inhalation from drug delivery system using MRI; Proceedings of Drug Delivery to the Lungs XI; Vol 2000, No 124  | <input type="checkbox"/> |
|                    | 4       | DE LANGE ET AL; Lung Air spaces: MR Imaging evaluation with hyperpolarized 3He gas; Radiology; Vol. 210, No. 3, pp. 851-857   | <input type="checkbox"/> |

**INFORMATION DISCLOSURE  
STATEMENT BY APPLICANT**  
( Not for submission under 37 CFR 1.99)

|                        |                 |            |
|------------------------|-----------------|------------|
| Application Number     |                 | 10596287   |
| Filing Date            |                 | 2006-06-08 |
| First Named Inventor   | Burnell, et al. |            |
| Art Unit               |                 |            |
| Examiner Name          |                 |            |
| Attorney Docket Number |                 | PB60589USw |

|   |  |                          |
|---|--|--------------------------|
| 5 | MCROBBIE ET AL; Studies of the human oropharyngeal airspaces using magnetic imaging I. Validation of a three-dimensional MRI method for producing ex vivo virtual and physical casts of the oropharyngeal airways during inspiration; Journal of Aerosol Medicine; 2003, Vol. 16, No. 4, pp. 401-415 | <input type="checkbox"/> |
| 6 | GRGIC ET AL; In Vitro Intersubject and Intrasubject Deposition Measurements in Realistic Mouth-Throat Geometries: Aerosol Science; 2004, Vol. 35, pp. 1025-1040  | <input type="checkbox"/> |
| 7 | STAPLETON ET AL; On the Suitability of -e Turbulence Modelling for Aerosol Dispersion on the Mouth and Throat: A Comparison with Experiment; Journal of Aerosol Science; 2000, Vol. 31, No. 6, pp 739-749  | <input type="checkbox"/> |
| 8 | ZHOU ET AL; Measurement of upper airway movement by acoustic reflection; Annals of Biomedical Engineering; 1995, Vol. 23, No. 1, pp. 85-94   | <input type="checkbox"/> |
| 9 | CZAJA JM, MCCAFFREY TV; Acoustic Measurement of Subglottic Stenosis; Ann Otol Rhinol Laryngol  | <input type="checkbox"/> |

If you wish to add additional non-patent literature document citation information please click the Add button

**EXAMINER SIGNATURE**

|                    |                 |                 |            |
|--------------------|-----------------|-----------------|------------|
| Examiner Signature | /Nicholas Evoy/ | Date Considered | 06/02/2009 |
|--------------------|-----------------|-----------------|------------|

\*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through a citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

<sup>1</sup> See Kind Codes of USPTO Patent Documents at [www.USPTO.GOV](http://www.USPTO.GOV) or MPEP 901.04. <sup>2</sup> Enter office that issued the document, by the two-letter code (WIPO Standard ST.3). <sup>3</sup> For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. <sup>4</sup> Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST.16 if possible. <sup>5</sup> Applicant is to place a check mark here if English language translation is attached.